

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

IN RE:

**CYNTHIA ANN MCCURDY
DEBTOR(S)**

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§

**CASE NO. 17-50136
CHAPTER 13**

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Specialized Loan Servicing LLC, as servicing agent for The Bank of New York Mellon Trust Company, National Association as successor to Deutsche Bank Trust Company Americas f/k/a Bankers Trust Corporation, as Trustee for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass-Through Certificates, Series 2002-KS1 (hereinafter "SLS"), a secured creditor in the above-entitled and numbered case, filing this its Objection to Confirmation of Chapter 13 Plan, and in support hereof represents:

1. The above-styled Debtor(s) filed a voluntary petition under Chapter 13 of Title 11, United States Bankruptcy Code, on July 4, 2017.
2. Debtor(s) is indebted to SLS pursuant to a promissory note secured by a recorded instrument granting a security interest in the real property with the address of 330 New Castle Dr., Laredo, Texas 78045 (the "Property").
3. The Property is the Debtor(s)' principal residence.
4. SLS filed its secured proof of claim in the amount of \$99,574.17, with pre-petition arrearage of \$7,434.33 (the "Claim").
5. Debtor(s) Chapter 13 Plan (the "Plan") as proposed provides only \$5,820.11 to satisfy the pre-petition arrearage portion of the Claim.
6. SLS objects to confirmation of the Plan because:
 - a. it does not comply with Section 1322(b)(2) and is not feasible because it understates the amount of the Claim, including, but not limited to pre-petition arrears and the total debt due and owing as of the date of filing.

WHEREFORE, PREMISES CONSIDERED, SLS prays that this Court deny confirmation of the Plan, and grant it such other and further relief at law and in equity as is just.

Respectfully submitted,
Buckley Madole, P.C.

/s/ LynAlise K. Tannery

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servicing agent for The Bank of New York Mellon Trust
Company, National Association as successor to Deutsche
Bank Trust Company Americas f/k/a Bankers Trust
Corporation, as Trustee for Residential Asset Securities
Corporation, Home Equity Mortgage Asset-Backed Pass-
Through Certificates, Series 2002-KS1

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following parties in interest either via pre-paid regular U.S. Mail or via electronic notification on or before the 2ⁿ day of July 2017:

Debtor's Attorney
Fernando D. Gutierrez Jr.
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U.S. Trustee
Office of the US Trustee
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17-50136

/s/ LynAlise K. Tannery
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